

Order

Michigan Supreme Court
Lansing, Michigan

December 9, 2005

Clifford W. Taylor,
Chief Justice

127956

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 127956
COA: 246882
Wayne CC: 02-005328-01

MIGUEL HARRIS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 21, 2004 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., dissents and states as follows:

I would remand this case to the trial court for an evidentiary hearing regarding whether there was probable cause for defendant's arrest. As it is, the record does not reflect facts sufficient to constitute probable cause.



s1206

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 9, 2005

Corbin R. Davis

Clerk